

CRIMINAL NO. 5:05CR214-V

## CONSENT ORDER AND JUDGMENT OF FORFEITURE

- a. Real property located at 48 Hospital Road, Sparta, North Carolina, as more particularly described in a deed dated September 17, 1993, and recorded at Deed book 163, Page 639, in the Allegheny County Public Registry;
- b. Real property including approximately 34 acres of farm land and a house located at or near 2785 Flowers Gap Church Road near Hillsville, Virginia, as more particularly described in an instrument recorded at Deed Book 82, Page 408, Carroll County Circuit Court, and in Tax Map No. 152-A-75;

4. upon the seizure of any property to satisfy all or part of the judgment, the United States shall, to the extent practicable, provide direct written notice to any persons known to have alleged an interest in the seized property, and shall publish notice as required by law;

5. any person, other than the defendant, asserting any legal interest in the property may, within thirty days of the publication of notice or the receipt of notice, whichever is earlier, petition the court for a hearing to adjudicate the validity of the alleged interest;

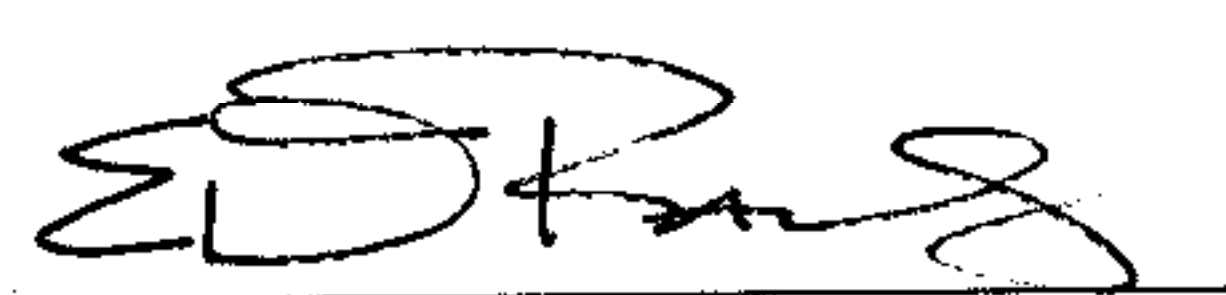
6. following the Court's disposition of all timely petitions filed, a final order of forfeiture shall be entered. If no third party files a timely petition, this order shall become the final order and judgment of forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2), and the United States shall have clear title to the property, and shall dispose of the property according to law.

The parties stipulate and agree that the aforementioned asset(s) constitute property derived from or traceable to proceeds of defendant's crime(s) herein or property used in any manner to facilitate the commission of such offense(s) and are therefore subject to forfeiture pursuant to 18 U.S.C. §924(d), 18 U.S.C. §982, 21 U.S.C. §853, 26 U.S.C. §5872, and/or 28 U.S.C. §2461(c). The defendant hereby waives the requirements of Fed. R. Crim. P. 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment against defendant.

GRETCHEN C. F. SHAPPERT  
UNITED STATES ATTORNEY

  
KEVIN ZOLOT  
Assistant United States Attorney

  
DONNA FAYE ATKINS REEVES  
Defendant

  
EBEN T. RAWLS III  
Attorney for Defendant

Signed this the 17<sup>th</sup> day of January, 2005.

  
UNITED STATES JUDGE